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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Li, et al.

APPLICATION NO: 10/807,089

FILED: 03/23/2004

FOR: MICROBIAL TRANSFORMATION METHOD FOR THE  
PREPARATION OF AN EPOTHILONE

ART UNIT: 1651

EXAMINER: Lilling, Herbert J

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This Response is submitted in reply to the Restriction Requirement dated July 11, 2006, with a one-month shortened statutory response time, set to expire on August 11, 2006.

## Response to Restriction Requirement

The Examiner has restricted Claims 1-17 into three groups:

- I. Claims 1-13
- II. Claims 14-15
- III. Claims 16-17

In response to the restriction requirement, Applicants herein provisionally elect Group I, including Claims 1-13.

The Examiner has indicated that an election of species is required from the microorganism strain of PTA-1043. The Applicants understand that this election of species pertains to nonelected claims 16-17. Thus an election of species and a listing of claims that pertain to the elected species has not been made for the presently elected claims 1-13.

The Applicants earnestly solicit a prompt examination of this application on the merits. The Examiner is invited to contact the undersigned if it is believed that a telephonic communication would expedite the prosecution of this application.

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Date: *August 3, 2006*

  
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